

DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee

SECOM-D-532

29 MAY 1979

MEMORANDUM FOR: Chairman, Security Committee

FROM:

Executive Secretary

SUBJECT: Investigations of Unauthorized Disclosures

1. Would you, as Director of Security CIA, be willing to identify and have trained, 4-5 investigators to work on leak investigations in-house as the need may arise? If so, would you, as Chairman, Security Committee, be willing to suggest this to members and support the idea before the NFIB?

2. It looks as if we are going to have to do in-house investigations since the Department of Justice or FBI seem reluctant to devote sufficient resources to the investigation of "leaks". There are no resources identified in CIA to do this. When the CIA member of the Unauthorized Disclosure Investigations Subcommittee gets a call from the Chairman to do an investigation, he finds himself without the immediate means to do so. If his request for assistance is ultimately granted then he may or may not be given trained investigators and in any case will not be provided with personnel who have any knowledge of procedures about leak investigations. This situation is probably true in other agencies. It certainly is in NSA.

79/255

3. I'd like to propose that each agency identify and make available personnel who will be available to do leak investigations in-house.

4. There should be a training program for them. A short course of about a week, during which time they will get a general orientation on what is needed, an idea of the processes of intelligence dissemination and guidance on procedures for leak investigation and reporting. CSG, with [] help, could structure the program and conduct it.

5. Once trained, these investigators would return to their primary duties. On determination by the Subcommittee Chairman [] and his quick reaction group that an investigation in one or more agencies is warranted, the agency representative should be able to activate a call for the investigators. He would brief them on circumstances, set parameters around coverage desired and indicate those components within the agency that should be approached by the investigators.

6. The purpose of the investigation would be in discharge of the DCI's (in case of the CIA) and the SIO's (in case of other agencies) responsibility to investigate unauthorized disclosures. The immediate goal would be to permit SIO's to take whatever remedial action is necessary and to have documented grounds for administrative sanctions against a discovered "leaker". The longer range goals would be to provide the DCI with a composite report, through the Chairman, Security Committee, which could be used in determining further access to classified intelligence to an element or person will be allowed. Thus the investigations are in-house and have, as their initial purpose, the identification of leakers and only indirectly are aimed at prosecution. They would offer the potential to be more complete and more timely than the investigations which are presently being conducted.

7. Further, there would be advantages should additional actions be desired, to wit, the DCI would have grounds on which to ask Justice and the FBI to undertake a formal investigation for prosecuting purposes. Justice, receiving copies of all investigations reported through SECOM to the DCI, would be in position to assure themselves that the

DCI was not arbitrarily or capriciously shotgunning requests to them for leak investigations but was acting prudently and selectively. The investigation report would also enable the Justice Department and the FBI to estimate the investigative resources they would have to commit. The reports would also be useful in helping Justice decide whether the request was worthy of prosecuting actions. In-house, the investigations will provide sufficient information in which to evaluate the advisability or feasibility of answering DOJ's 11 questions, determining whether the material could be offered in prosecution actions and evaluating the risk factors involved.

8. I really don't see any other way to go in view of Judge Bell's position and Judge Webster's dependence on Justice's authorization before using the FBI.

9. There will be objections from some SECOM members. NSA can be expected to say that they have no investigative assets. State will raise jurisdictional points about their split between INR (which has no investigative resource) and SY (which receives no intelligence). DIA will have to depend on the good graces of a service department or DIS.

10. All will probably point out that the biggest source of leaks, the Hill, is not covered and that we have no authority to force investigations. As a possible response, and recognizing this gap in our coverage, could we explore the possibility of having the DCI or OLC ask Committee Chairmen to cooperate in this effort by having a staff officer appointed to look into leaks on those occasions when the Intelligence Community goes all out to resolve an unauthorized disclosure. I'd be willing to explore this with

11. There is also the NSC area to look at. Can we explore, through an Agency source, the possibility of having a point of contact in the NSC for coordination on leak investigations?

Distribution:

Orig - Adse
1 - SECOM Subj
1 - SECOM Control
① - SECOM Chrono

SECOM efn(29 May 79)